

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

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IN The United States District Court
For The District Of Nebraska

United States

Case No. 09-CR-457

V

McKim R. 12.3 Brief In

Support Of Dismissal Based

Shannon Williams

Upon Juror discrimination

The Sixth Amendment prohibits purposeful exclusion of racial groups from the juror selection process. *Taylor v Louisiana* 419 U.S. 522. In order to establish a prima facie violation a defendant must show: (1) that the group alleged to be excluded is a distinctive group in the community; (2) that the representation of this group is not fair & reasonable in relation to the number of such persons in the community; and (3) That this underrepresentation is due to systematic exclusion of the group in the jury-selection process. The numerical disparity of one juror from a population that makes up 33% of what should be the jury wheel is ~~discrimination~~ discrimination. Apparently the jury wheel plan is being tampered with or its discriminatory. There is no way to explain why 10% of my jury was from less than 10% of the population. Whatever caused the anomaly it was against the defendants Sixth Amendment rights.

Respectfully Submitted this 28th day of October 2011

certificates of service

Shan Williams

A copy was provided to Susan Leha at 1020 Dodge Omaha

Shan Williams